

## Message Text

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ACTION EB-07

INFO OCT-01 AF-06 EUR-12 NEA-09 ISO-00 CAB-02 CIAE-00

COME-00 DODE-00 DOTE-00 INR-07 NSAE-00 FAA-00 SS-15

NSC-05 L-02 H-02 IO-10 PA-01 PRS-01 USIA-06 /086 W

----- 072322

R 071626Z MAR 75

FM AMEMBASSY MONROVIA

TO SECSTATE WASHDC 4889

INFO AMEMBASSY ABIDJAN

AMEMBASSY ACCRA

AMEMBASSY BAMAKO

AMEMBASSY BRUSSELS

AMCONSUL CASABLANCA

AMEMBASSY DAKAR

AMEMBASSY LAGOS

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E.O. 11652: N/A

TAGS: EAIR, SG, LI, GH, ML, IV

SUBJECT: CIVAIR: GOL ACTIONS ON AIR LIBERIA TICKETING

FACILITIES, BLOCKED SEAT ARRANGEMENTS, AND US CIVAIR

BILATERALS WITH WEST AFRICAN COUNTRIES

REFS: A) MONROVIA 0716; B) STATE 029854; C) MONROVIA 0836;

D) MONROVIA A-06 OF FEBRUARY 13, 1975; E) MONROVIA 0936;

F) STATE 036274; G) STATE 037671; H) ABIDJAN 1831; AND I)

MONROVIA 0437.

1. SUMMARY. EMBASSY HAD NO INDICATION THAT GOL DIRECTIVE TO CONCESSIONS TO UTILIZE AIR LIBERIA'S TICKETING FACILITIES RELATED TO GOL REQUESTS NEGOTIATE CIVAIR BOLATERAL WITH USG AND BLOCK SEAT ARRANGEMENT WITH PAN AM, BUT ISSUES INTERRELATED. GOL DIRECTIVE MADE AT SUGGESTION OF AIR LIBERIA (NL) AND NL FOLLOWED UP WITH LETTER TO CONCESSIONS SETTING APRIL 1, AS EFFECTIVE DATE. CONCESSIONS ANNOYED BY GOL DIRECTIVE AND AIRLINE REACTION MIXED

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(DUE TO OTHER FACTORS). BRITISH AND SWEDISH EMBASSIES CONCERNED

AND DESIRE KNOW USG POSITION. ASSISTANT MINISTER FOR TRANSPORTATION INFORMALLY TOLD EMBOFF HE FEELS GOL POSITION ON THIS SHAKEY AND HE PREPARING MEMO TO MINISTER. EFFECT OF TICKETING POLICY POSSIBLY GREATER THAN LOSS OF SEVEN PERCENT ON TICKET SALES BECAUSE OF PAN AM/NL BLOCK SEAT NEGOTIATIONS AND NEGOTIATIONS OF CIVAIR BILATERAL COUPLED WITH POSSIBLE ROUTE EXPANSION BY NL. PAN AM VERBALLY TOLD BY COMMERCE MINISTER THAT ADDITIONAL FREQUENCIES THROUGH MONROVIA WOULD NOT RPT NOT BE APPROVED (THOUGH THIS VIOLATES OPERATING AGREEMENT) UNTIL PAN AM AND USG RESPONDED ON OTHER NEGOTIATIONS AND EMBASSY FEELS FAILURE RESPOND TO ALL THREE ISSUES SOON WILL WEAKEN OUR POSITION ON NEGOTIATIONS. EMBASSY REQUESTS (1) DEPARTMENT COMMENTS, (2) AUTHORIZATION TO FORMALLY OBJECT TO GOL ACTION ON NL TICKETING AND (3) ASSISTANCE FROM EMBASSIES ACCRA, BAMAKO AND LAGOS ON LOCAL REACTION TO NL TICKETING. END SUMMARY.

2. WHILE EMBASSY HAS NO FIRM INDICATION THAT GOL DIRECTIVE TO FOREIGN CONCESSIONS TO USE AIR LIBERIA TICKETING FACILITIES (REFS A AND B) IS DIRECTLY RELATED TO GOL MOVES TO NEGOTIATE AIR SERVICES AGREEMENT (REFS C, D AND G) WITH USG AND NEGOTIATE BLOCK SEAT ARRANGEMENT WITH PAN AM (REFS E AND F), WE FEEL ISSUES SUFFICIENTLY INTERRELATED TO DISCUSS AT SAME TIME. FOLLOWING INFORMATION BASED ON DISCUSSIONS BETWEEN COMMERCIAL ATTACHE AND GOL OFFICIALS, AIRLINE REPRESENTATIVES, OTHER EMBASSY OFFICIALS, AND AMERICAN BUSINESSMEN.

3. CLEMENS OF AIR LIBERIA (HUGHES AIRWEST) SAID THAT GOL DIRECTIVE TO CONCESSIONS TO UTILIZE AIR LIBERA (NL) TICKETING FACILITIES IN ALL INTERNATIONAL TRAVEL (REPORTED REF A) WAS MADE AT HIS SUGGESTION. HE SAYS SOLE PURPOSE OF MOVE IS TO INCREASE REVENUE (SEVEN PERCENT ON TICKETS WRITTEN ON OTHER AIRLINES). HE SAYS MATTER WAS THOROUGHLY INVESTIGATED BY GOL LEGAL PEOPLE, AND IT WAS DETERMINED THAT SINCE GOL IN EFFECT PARTNER IN CONCESSION ENTERPRISES, IT CAN LEGALLY REQUIRE THEM TO USE NL TICKETING FACILITIES AND FLY NL ON ROUTES IT SERVES. HE FEELS THIS SIMILAR TO USG REQUIREMENT GOVERNMENT EMPLOYEES FLY US FLAG CARRIERS.

4. AS INDICATED IN GOL DIRECTIVE (REF A), CONCESSIONS HAVE RECEIVED FOLLOW-UP LETTER FROM CLEMENS (STATING THAT QTE TARGET LIMITED OFFICIAL USE

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DATE UPON WHICH AIR LIBERIA COULD ASSIST IN PROVIDING TICKETING AND RESERVATION SERVICES TO YOUR ORGANIZATION IS APRIL 1, 1975 UNQTE. THIS LETTER SPELLS OUT THAT GOL DIRECTIVE COVERS QTE TICKETING AND RESERVATIONS FOR FLIGHT AND LAND ARRANGEMENTS FOR ALL ORGANIZATIONS OPERATING UNDER CONCESSION AGREEMENTS WITHIN LIBERIA UNQTE.

5. OBJECTIONS OF CONCESSIONS TO GOL POLICY SEEM TO FALL IN THREE

MAJOR CATEGORIES: (A) DESIRE TO BE LOYAL TO US FLAG CARRIER PAN AM IN TIME OF AIRLINE'S NEED (AND TO OTHER AIRLINES IN CASES OF OTHER NATIONALITIES); (B) RESENTMENT TOWARD ADDITIONAL OPERATING RESTRICTIONS IMPOSED BY GOL; AND (C) GENERAL FEELING THAT NL OPERATION INEFFICIENT AND WILL BE UNABLE PROVIDE EFFICIENT SERVICE PRESENTLY BEING OFFERED OTHER AIRLINES AND TRAVEL AGENTS. ON LAST POINT, NL OFFICIALS INSIST THAT THEY WELL STAFFED IN TICKETING DEPARTMENT (INCLUDING EXPATRIATES) AND FULLY PREPARED MATCH ANY SERVICE OFFERED IN MONROVIA. COMMENT: PROMINENT GOL OFFICIALS, BOTH FOR PERSONAL AND OFFICIAL TRAVEL, SHOW PENCHANT FOR DEALING DIRECTLY WITH MAJOR FOREIGN AIRLINES. THIS PROBABLY DUE TO SNAPPY VIP TREATMENT USUALLY ACCORDED THEM BY AMERICAN AND EUROPEAN AIRLINES. ALTHOUGH MAJOR AIRLINES WILL UNDOUBTEDLY CONTINUE PROVIDE SPECIAL GROUND AND FLIGHT SERVICES TO THESE PERSONS, IT QUESTIONABLE IF SUCH PERSONS (GIVEN THE FRAGILE NATURE OF THEIR EGOS) WILL BE SANGUINE ABOUT DEALING WITH AN INTERMEDIARY SUCH AS NL. END COMMENT.

6. REACTION OF OTHER AIRLINES SURPRISINGLY MIXED AND BASED ON CONSIDERATIONS OTHER THAN UNFAIR COMPETITION OR VIOLATION OF EXISTING AGREEMENTS (PARA 3, REF A AND PAR 1 REF B). GENERALLY MAJOR FOREIGN CARRIERS (INCLUDING PAN AM) NOT OVERLY CONCERNED OVER LOSS OF TICKETING REVENUE, PARTICULARLY SINCE NO ONE ABLE DETERMINE EXTENT OF FINANCIAL LOSS. CONCESSION TICKETING PRESENTLY SCATTERED AMONG VARIOUS AIRLINES, WITH SIZABLE AMOUNT BEING HANDLED BY LOCAL TRAVEL AGENTS (WHO WILL BE HARDEST HIT BY THIS MOVE). HARDEST FACTOR TO GET HANDLE ON IS IMPACT NL TICKETING WILL HAVE ON ACTUAL PASSENGER TRAFFIC REVENUE. SPECIFIC AIRLINE REACTION TO THIS POINT AS FOLLOWS:

A. SWISSAIR MANAGER ACTUALLY PLEASED BY MOVE BECAUSE NL CURRENTLY EMPLOYS TWO SWISSAIR EMPLOYEES IN TICKETING DEPARTMENT. SWISSAIR FEELS THAT WITH NL TICKETING CONCESSIONS, THESE EMPLOYEES WILL BE IN POSITION TO INCREASE PERCENTAGE LIBERIA/EUROPE TRAVEL LIMITED OFFICIAL USE

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FLOWN ON SWISSAIR.

B. FOR SAME REASON, SABENA, KLM AND SAS DISCONCERTED BY MOVE BECAUSE THEY FEEL DIRECT COMPETITOR SWISSAIR IN ADVANTAGEOUS POSITION.

C. BRITISH CALEDONIA SHARES THIS POSITION, BUT FEELS IT ALREADY HAS SIMILAR PROBLEMS BECAUSE ITS TICKETING PRESENTLY BEING DONE BY SAS AND IS MOVING TOWARD ESTABLISHING ITS OWN TICKETING AGENCY.

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ACTION EB-07

INFO OCT-01 AF-06 EUR-12 NEA-09 ISO-00 CAB-02 CIAE-00

COME-00 DODE-00 DOTE-00 INR-07 NSAE-00 FAA-00 IO-10

SS-15 NSC-05 L-02 H-02 PA-01 PRS-01 USIA-06 /086 W

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R 071626Z MAR 75

FM AMEMBASSY MONROVIA

TO SECSTATE WASHDC 4890

INFO AMEMBASSY ABIDJAN

AMEMBASSY ACCRA

AMEMBASSY BRUSSELS

AMCONSUL CASABLANCA

AMEMBASSY DAKAR

AMEMBASSY LAGOS

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D. PAN AM REACTION SIMILAR, ALTHOUGH IT UNIQUE IN FLYING US ROUTE AND ITS DIRECT COMPETITION WITH EUROPEAN CARRIERS HARDER TO PUT FINGER ON BECAUSE IT INVOLVES EXTENT TO WHICH US-BOUND TRAFFIC ROUTED THROUGH EUROPE. (POSSIBLE OTHER RAMIFICATIONS ON PAN AM OF GOL POLICY DISCUSSED IN LATER PARAGRAPHS.)

E. REACTION OF REGIONAL CARRIERS NOT SOUGHT, AS EMBASSY HAS HESITATED APPROACH AFRICAN AIRLINES (WHICH MORE LIKELY COME INTO DIRECT ROUTE COMPETITION WITH NL) UNTIL US POSITION RE NL'S TICKETING AND LARGER QUESTION OF CIVAIR BILATERALS (REFS C, G AND H) DETERMINED.

7. BRITISH AND SEDISH EMBOFFS EXPRESSED CONCERN OVER GOL POLICY, BUT UNABLE (OR UNWILLING) SUGGEST COURSE OF ACTION UNTIL FURTHER STUDY OF SITUATION MADE AND REACTIONS OF CONSTITUENT AIRLINES AND HOME OFFICES OBTAINED. THEY MOST INTERESTED IN US POSITION AND INTENDED COURSE OF ACTION. FYI: BRITISH IN FINAL STATES OF NEGOTIATING BILATERAL WITH LIBERIA. END FYI. COMMENT: IN VIEW THIS INITIAL REACTION, EMBASSY HAS NOT APPROACHED OTHER EMBASSIES PENDING CLARIFICATION OUR POSITION. IT MIGHT ALSO

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BE MORE PRODUCTIVE FOR EMBASSIES LAGOS, BAMAKO AND ACCRA

DETERMINE POSITION OF HOST GOVERNMENTS SINCE THEIR AIRLINES MORE LIKELY TO FACE NL IN HEAD-TO-HEAD COMPETITION. END COMMENT.

8. WHEN GOL POLICY RAISED INFORMALLY WITH ASSISTANT MINISTER FOR TRANSPORTATION MARSH, HE (SOMEWHAT EMBARRASEDLY) INDICATED LETTER TO CONCESSIONS (REF A) SENT BY MINISTER WHILE MARSH TRAVELING ABROAD. HE OPINED THAT ACTION INDEED PROBABLY VIOLATION OF BILATERAL AND MULTILATERAL AGREEMENTS AND THAT HE PREPARING MEMO ON SUBJECT FOR MINISTER. HE SAID HOPEFULLY HE WILL HAVE SOMETHING FOR EMBASSY BEFORE WE MAKE OFFICIAL REPRESENTATION TO GOL ON MATTER. CIVAIR OFFICIALS NOT ON POLICY-MAKING LEVEL AND ALTERNATELY EXPRESS NO KNOWLEDGE AND NO CONCERN ON MATTER. EMBASSY WILL FOLLOW UP WITH MARSH.

9. ALTHOUGH EMBASSY UNAWARE IF NEW TICKETING POLICY PART OF GOL GRAND SCHEME RELATED TO NEGOTIATING BILATERAL AIR SERVICES AGREEMENT (REFS C, D, G AND H) AND PAN AM BLOCK SEAT ARRANGEMENT (REFS E AND F), POSSIBLE IMPACT ON PAN AM (OUR PRIMARY CONCERN) AND EUROPEAN LINES MORE SUBSTANTIAL THAN MERE LOSS OF TICKET REVENUE. EMBASSY CONCERNS ARE AS FOLLOWS:

A. PAN AM/NL BLOCK SEAT ARRANGEMENT. DEPENDING ON OUTCOME OF NEGOTIATIONS AND NATURE OF AGREEMENT CONCLUDED, NL COULD IN EFFECT BECOME DIRECT COMPETITOR OF PAN AM ON MONROVIA/NEW YORK RUN SINCE PRESUMABLY NL WOULD TICKET CONCESSION BUSINESS ON ITS ALLOTTED SHARE OF PAN AM SEATS. DAMAGE CALCULATED TO THE ABSURD EXTREME WOULD BE NL'S BLOCKED SEATS FULL - PAN AM'S RETAINED SEATS EMPTY. WHAT THE ACTUAL SITUATION WOULD BE CANNOT BE PREDICTED.

B. AIR SERVICES AGREEMENT AND POSSIBLE NL ROUTE EXPANSION. AS REPORTED IN REF I, NL RESTRUCTURING AND MODERNIZING FLEET. IF NL ACQUIRES ONE OR TWO LONGER-RANGE LARGER-CAPACITY JETS (ESTIMATED TO BE A 50-50 POSSIBILITY), THERE WILL BE SOME ROUTE EXPANSION. THIS WILL CERTAINLY INCREASE NL COMPETITIVENESS WITH REGIONAL AFRICAN CARRIERS AND CUT INTO REGIONAL BUSINESS OF PAN AM AND OTHER INTERNATIONAL CARRIERS. ACQUISITION OF DC-9'S OR 737'S MAKES THE POSSIBILITY NL WILL EXPAND PASSENGER AND CARGO OPERATIONS INTO EUROPE REAL. IF ALL CONCESSION TRAFFIC ASSURED, THIS WOULD APPEAR TO BE A PLUM NL COULD NOT RESIST PLUCKING.

COMMENT: WORDING OF GOL DRAFT AIR SERVICES AGREEMENT SUGGESTS NL MAY WISH TO ENTER US MARKET, BUT EMBASSY FEELS THIS BEYOND LIMITED OFFICIAL USE

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POSSIBILITY IN NEAR TERM. IT MORE LIKELY THAT GOL DESIRES NEGOTIATE AGREEMENT AT SAME TIME TALKING TO PAN AM RE BLOCK SEATS, AND NL ROUTE EXPANSION PLANS COULD AFFECT PAN AM. END COMMENT.

10. ALTHOUGH MATTER OF "HURT PRIDE" ABIDJAN RAISED RE AIR AFRIQUE (REF H) NOT AT ISSUE IN LIBERIA YET, EMBASSY SHARES CONCERNS RAISED REF H ON ISSUE OF BILATERAL NEGOTIATIONS. WE ALSO WOULD

LIKE ANSWERS QUESTIONS RAISED PARA 6. DEPARTMENT SHOULD BE COGNIZANT THAT GOL, CONCESSIONS, AND AIRLINE COMMUNITY IN GENERAL AWARE OF EMBASSY'S DISPLEASURE OVER GOL'S REQUIREMENT CONCESSIONS EXCLUSIVELY USE NL'S FACILITIES FOR TICKETING AND GROUND ARRANGEMENTS. WE FEEL FAILURE TO FOLLOW UP THIS CONCERN WITH OFFICIAL REPRESENTATION TO GOL SOON ON THIS MATTER WOULD BE CLEAR SIGNAL THAT WE WILLING CONCEDE THIS POINT. SUCH ACTION WOULD SURELY WEAKEN PAN AM'S POSITION IN NEGOTIATIONS ON BLOCK SEAT ARRANGEMENT (WHICH GOL REQUESTED BEGIN MARCH) AND/OR CHANGES IN FLIGHT FREQUENCY TO AND THROUGH MONROVIA. IT CERTAINLY WOULD NOT STRENGTHEN OUR POSITION IN NEGOTIATING BILATERAL.

11. IN THIS REGARD, LOCAL PAN AM MANAGER HAS JUST TOLD EMBOFFS THAT IN MEETING (ON OTHER SUBJECT TO BE REPORTED SEPTEL) WITH PAN AM OFFICERS FEBRUARY 6, COMMERCE MINISTER DENNIS VERBALLY INFORMED PAN AM THAT GOL HAD NOT APPROVED PAN AM QTE REQUEST UNQTE FOR AN INCREASE TWO FLIGHTS WEEKLY (ONE PASSENGER AND ONE CARGO) UNLESS THEY RESPOND FAVORABLY ON BLOCK SEAT ISSUE AND USG SIGNED CIVAIR BILATERAL. PAN AM MANGER TOLD EMBOFFS PRESENT PAN AM OPERATING PERMIT GIVES AIRLINE CARTE BLANCHE TO CHANGE SCHEDULES AND INCREASE FREQUENCIES WHENEVER THEY LIKE, AND THAT ANY ATTEMPT DISAPPROVE NEW SCHEDULE WOULD VIOLATE THAT OPERATING PERMIT.

12. ACTION REQUESTED:

- A. WOULD APPRECIATE ANSWERS TO QUESTIONS RAISED ABIDJAN (REF H) AS WELL AS DEPARTMENT COMMENTS ON POINTS RAISED THIS MESSAGE;
- B. SUGGEST DEPARTMENT PROVIDE EMBASSY WITH TEXT OF NOTE FOR DELIVERY TO GOL AS WELL AS BACKGROUND INFORMATION ON INSTANCES WHERE QTE RESTRICTION WOULD VIOLATE A NUMBER OF BILATERAL AND MULTILATERAL AGREEMENTS UNQTE (REF B, PARA 1), FOR USE IN FORMAL AND INFORMAL DISCUSSIONS;
- C. REQUEST GUIDANCE ON FURTHER APPROACHES WE CAN MAKE TO OTHER LIMITED OFFICIAL USE

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EMBASSIES REPRESENTING COUNTRIES WITH AIRLINES SERVING LIBERIA IN SEEKING SUPPORT FOR USG POSITION IN THIS MATTER;

- D. SUGGEST DEPARTMENT REQUEST EMBASSIES ACCRA, BAMAKO AND LAGOS APPROACH HOST GOVERNMENTS TO SOUND OUT THEIR REACTION GOL ACTION WITH REGARD TO UNFAIR COMPETITION THEIR AIRLINES; AND
- E. REQUEST GUIDANCE SOONEST ON USG POSITION ON BILATERALS, SINCE GOL SURE TO RAISE MATTER IN ANY FURTHER DISCUSSION OF CIVAIR MATTERS.

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